

E A S E M E N T

THIS INSTRUMENT, made the 5th day of June, 1944, between Samuel K. Rindge, Agnes Hole Rindge, parties of the First Part, and the CITY OF RIVERSIDE, a municipal corporation of the State of California, Party of the Second Part.

W I T N E S S E T H:

For and in consideration of One Dollar (\$1.00) and other valuable considerations to them in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, the Parties of the First Part do hereby grant, convey, and dedicate unto the said Party of the Second Part, subject to the exceptions and reservations hereinafter mentioned and specified, the easement and right of way for the construction, reconstruction, inspection, maintenance, operations, and repair of sanitary sewers, hereinafter termed "Structure", in, under, over, and across those certain parcels of land in and near the City of Riverside, County of Riverside, State of California, described as follows, to wit:

PARCEL NO. 1. Beginning at the Northwest corner of lot 1 McClaskey Tract as recorded in Book 10 of Maps at pages 36 & 37 thereof; records of Riverside County, California; thence N 0° 30' E a distance of 80.60'; thence N 58° 34' E a distance of 153.00' to the true point of beginning of the parcel to be described; thence N 0° 15' E a distance of 11.75'; thence N 58° 34' E a distance of 85.44'; thence N 54° 05' E a distance of 256.31' to the westerly line of the Metropolitan Water District Right-of-way; thence S 13° 26' E along said right-of-way a distance of 21.64'; thence S 54° 05' W a distance of 246.85'; thence S 58° 34' W a distance of 98.56'; thence N 0° 15' E a distance of 11.75' to the point of beginning.

PARCEL NO. 2. Beginning at the northwest corner of lot 1 Mc Claskey Tract as recorded in Book 10 of Maps at pages 36 & 37 thereof records of Riverside County, California; thence N 0° 30' E a distance of 80.60'; thence N 58° 34' E a distance of 245.00'; thence N 54° 05' E a distance of 294.65' to the easterly line of the Metropolitan Water District right-of-way; said point being the beginning of the parcel to be described; thence N 13° 26' W along said right-of-way a distance of 10.82'; thence N 54° 05' E a dis-

tance of 17.36'; thence S 0° 15' W a distance of 24.78'; thence S 54° 05' W a distance of 10.90' to the said right-of-way; thence N 13° 26' W along said right-of-way a distance of 10.82' to the point of beginning.

PARCEL NO. 3. Beginning at a point on the north line of Riverview Addition Tract No. 4 as recorded in Book 7 of Maps at page 6 thereof records of Riverside County, California; said point being N 89° 57' W a distance of 390.66' from the northeast corner of said Tract; thence S 76° 07' 30" W a distance of 109.30'; thence S 86° 49' 40" W a distance of 700.64'; thence N 69° 41' 20" W a distance of 183.60' to the north line of said tract; thence S 89° 57' 15" E along said north line a distance of 57.62'; thence S 69° 41' 20" E a distance of 125.30'; thence N 86° 49' 40" a distance of 694.64'; thence N 76° 07' 30" E a distance of 26.70' to the north line of said tract; thence S 89° 57' 15" E along said north line a distance of 83.08' to the point of beginning.

PARCEL NO. 4. Beginning at a point on the north line of Riverview Addition Tract No. 3 as recorded in Book 7 of Maps at page 5 thereof records of Riverside County, California; said point being S 89° 57' 15" E a distance of 231.24' easterly from the northwest corner of said Tract; thence continuing S 89° 57' E a distance of 97.33'; thence S 59° 29' 30" W a distance of 43.86'; thence N 69° 07' W a distance of 64.20' to the point of beginning.

PARCEL NO. 5. A strip of land 20 feet in width lying 10 feet on each side of the following described center line. Beginning at a point in the center line of Jurupa Avenue, and the center line of Van Buren Street; thence N 0° 17' 30" E 653.6 feet more or less to the southerly line of lot 7-A of the McClaskey Tract as recorded in Book 10 of Maps pages 36 & 37, records of Riverside County, California, for a true point of beginning; thence N 0° 17' 30" E 36.65 feet; thence N 45° 42' 30" W 462.9 feet; thence N 2° 06' 42" W 275.0 feet more or less to the northerly line of lot 10 of said McClaskey Tract.

Together with the right to enter upon and to pass and repass over and along said strips of land, and to deposit tools, implements and other material thereon by said Party of the second part, its officers, agents, and employees, and by persons under contract with it and their employees, whenever and wherever necessary for the purpose of constructing, reconstructing, inspecting, maintaining, operating or repairing said structure.

This easement and right of way is subject to conditions, restrictions, reservations, easements, and rights of way of record,

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and is subject to and conditional upon the full and complete performance and observance of each and all of the agreements, covenants, terms, and conditions herein set forth on the part of the second party to be kept and performed, each of which is hereby declared to be an express condition subsequent upon which this agreement is made, and to each and all of which the parties hereto respectively agree, to wit:

1. In the event said structure is constructed, the second party agrees to construct the same in a first-class, workmanlike manner, and to operate and maintain the same in good, sound, and safe condition of repair at a sufficient depth beneath the surface of the ground to permit of the ordinary farming operations of the First Parties.

2. First Parties expressly reserve and except herefrom all rights pertaining to the use, enjoyment, and disposition of said strips of land, and every portion thereof, not inconsistent with the easement and right of way hereby given; and, to the end that any farming operations upon said strips of land may be conducted in the usual and ordinary manner, the second party agrees that no roadway shall be constructed or maintained on or along the said right of way; and upon the completion of any construction, reconstruction, replacement or repair by the Second Party, the portion of the land used shall be left as nearly as possible in the same condition as at the beginning of the operations by the Second Party, and the surface of the right of way and the ground adjacent thereto as nearly as may be at the same level as that of the surrounding ground; and the second Party shall remove all excess soil, leaving the ground in a condition to be farmed.

All of the provisions of the foregoing paragraphs numbered 1 and 2 shall be complied with by the second Party at its own sole cost, risk, and expense.

In the event the Second Party shall fail to construct and complete said sanitary sewer through the strips of land herein described within within five (5) years from the termination of the present war, or if it shall fail to maintain, operate or use the same for sewer purposes for any consecutive period of five (5) years after the completion of such construction, or in the event the Second Party shall default in the performance or observance of any of the agreements, covenants, and conditions therein set forth, then, and in any such event, the easement and right of way hereby given and granted shall ipso facto cease and terminate as to all portions of the land along which the Second Party shall so fail to construct, maintain, operate or use said sewer line or in respect to which it shall fail to perform or observe any agreement, covenant or condition.

TO HAVE AND TO HOLD UNTO the Party of the Second Part, subject to the reservations, and exceptions hereinabove contained.

IN WITNESS WHEREOF, the said Parties of the First Part have hereunto executed the above and foregoing instrument the day and year first above written.

Samuel K. Rindge

. Agnes Hole Rindge

# P.O. of McClarkey

Beg. at a point on the sly. line of lot 8A of McClaskey  
 Tract 21.35 ft westerly thence from the S. Ely corner  
 of said lot; th. S.  $80^{\circ}01'W$  on the nly line of Jurupa  
 Avenue 2234.2 feet to the S.W. corner of lot 13 of sd.  
 Tract; th. N.  $0^{\circ}23'30'' E$ . 330 ft; th. S.  $79^{\circ}37'30'' E$   
 330 ft; th. N.  $0^{\circ}24' E$  330 ft; th. S.  $79^{\circ}37' E$  330.2 ft to  
 the N.Ely corner of sd. lot 13; th. N.  $0^{\circ}23' E$ . 330 ft;  
 th. S.  $79^{\circ}38'30'' E$ . 330.2 ft; th. N.  $0^{\circ}19'30'' E$  330 ft;  
 th. S.  $79^{\circ}39'30'' E$  600 ft to angle point in the nly line  
 of lot 10 of sd. Tract; th. N.  $82^{\circ}45' E$ . 92.5 ft; th. S.  $55^{\circ}$   
 40'  $E$  551.1 ft; th. S.  $0^{\circ}17'30'' W$ . 623.1 ft. to the plat beg.

Sold to Pasquale Solayo and Rosa Solayo.

